



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

1653

Applicant: NISHIHARA et al.
Serial No.: 10/070,010
Filed: 28 February 2002

Examiner: unknown
Group Art Unit: unknown
Docket: 8279.359USWO

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TECH CENTER 1600/2900

Title: OXYGEN-CONTAINING OPHTHALMIC COMPOSITION

CERTIFICATE UNDER 37 CFR 1.8:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on May 28, 2002.

By: *Heidi Hanson*
Name: Heidi Hanson

Commissioner for Patents
Washington, D.C. 20231

Sir:

We are transmitting herewith the attached:

- ☒ Transmittal Sheet in duplicate containing Certificate of Mailing
- ☒ Information Disclosure Statement, Form 1449, 5 References
- ☒ Other: International Search Report
- ☒ Return postcard

Please consider this a PETITION FOR EXTENSION OF TIME for a sufficient number of months to enter these papers or any future reply, if appropriate. Please charge any additional fees or credit overpayment to Deposit Account No. 13-2725. A duplicate of this sheet is enclosed.

MERCHANT & GOULD P.C.
P.O. Box 2903, Minneapolis, MN 55402-0903
612.332.5300

By: *Douglas P. Mueller*
Name: Douglas P. Mueller
Reg. No.: 30,300
DPM:hjh





10/070,010

PATENT

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By

Heidi Hanson

INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(b))

Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner.

This statement should be considered because it is submitted within three months of the filing date of the above-identified application, which is not an application under 37 C.F.R. § 1.53(d). Accordingly, no fee is due for consideration of the items listed on the enclosed Form 1449.

In accordance with 37 C.F.R. § 1.98(a)(2), a copy of each document or other information listed on the enclosed Form 1449 is provided.

Applicant hereby brings attention to the Examiner that the following references were cited in an International Search Report dated 2 October 2001: EP 0 254 413, US 4,452,818, WO 96/03426, and JP 2000-175595. A copy of the International Search Report is enclosed. Since the International Search Report is in English, no English translation of the listed foreign references is required, pursuant to MPEP § 609(A)3.

A concise explanation of the relevance of each non-English language document or other information is as follows (37 C.F.R. § 1.98(a)(3)):

An English abstract is provided for the reference by MISHIMA.

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No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

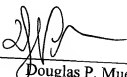
Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

MERCHANT & GOULD P.C.
P.O. Box 2903
Minneapolis, Minnesota 55402-0903
(612) 332-5300

Dated: 28 May 2002

By



Douglas P. Mueller
Reg. No. 30,300

DPM:hjh

FORM 1449* INFORMATION DISCLOSURE STATEMENT IN AN APPLICATION (Use several sheets if necessary)	Sheet 1 of 1	
	Docket Number: 8279.359USWO	Application Number: 10/070,010
	Applicant: NISHIHARA et al.	
	Filing Date: 28 February 2002	Group Art Unit: unknown

[illegible]

PATENT TRADEMARK OFFICE	
EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	